

CHAPTER 36—CIGARETTE LABELING AND ADVERTISING

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§ 1331.

It is the policy of the United States to establish a comprehensive system of regulation of advertising with respect to cigarettes, whereby—

(1) the public health may be protected from each package

(2) commerce in cigarettes may be promoted by preventing deceptive advertising and health.

(Pub.L. 89-92, § 2, July 1, 1966, as amended; 84 Stat. 87.)

1970 Amendment. Pub.L. 91-222 reenacted section without change.

Effective Date of 1970 Amendment. Section 3 of Pub.L. 91-222 provided in part that: "All other provisions of the amendment made by this Act [enacting section 1340 of this title, amending this section and sections 1332 and 1335 to 1339 of this title, and enacting provisions set out as notes under this section] except where otherwise specified shall take effect on January 1, 1970."

Effective Date. Section 11 of Pub.L. 89-92 provided that: "This Act [this chapter] shall take effect on January 1, 1966."

Short Title of 1973 Amendment. Section 1 of Pub.L. 93-109 provided: "That this Act [which enacted subsec. (7) of section 1332 of this title and amended section 1335 of this title] may be cited as the 'Little Cigar Act of 1973'."

Short Title of 1970 Amendment. Section 1 of Pub.L. 91-222 provided: "That this Act [enacting section 1340 of this title, amending

this section, and sections 1332 to 1339 of this title, and enacting provisions set out as notes under this section and sections 1333 and 1334 of this title] may be cited as the 'Public Health Cigarette Smoking Act of 1969'."

Short Title. Section 1 of Pub.L. 89-92 provided that Pub.L. 89-92, which enacted this chapter, may be cited as the "Federal Cigarette Labeling and Advertising Act".

Separability of Provisions. Section 12 of Pub.L. 89-92, as added by section 2 of Pub.L. 91-222, provided that: "If any provision of

this Act [this chapter] or any provision thereof to any person or circumstance is held invalid, the other provisions of this Act [this chapter] and the application of such provision to other persons or circumstances shall not be affected thereby."

Legislative History. For legislative history and purpose of Pub.L. 89-92, see 1965 U.S. Code Cong. and Adm. News, p. 2349. See, also, Pub.L. 91-222, 1970 U.S. Code Cong. and Adm. News, p. 2652.

Library References

Health and Environment § 31, 33.

C.J.S. Health and Environment, §§ 37, 38, 47.

Notes of Decisions

ger to public health

the tobacco is recognized as sub-
stantial to public health and, as in

case of alcohol, this justifies greater legislative control. *People v. Cook*, 1974, 356 N.Y.S.2d 259, 34 N.Y.2d 100, 312 N.E.2d 452.

2. Definitions

defined in this chapter—

The term "cigarette" means—

(A) any roll of tobacco wrapped in paper or in any substance of containing tobacco, and

(B) any roll of tobacco wrapped in any substance containing tobacco which, because of its appearance, the type of tobacco used in the filler, or its packaging and labeling, is likely to be offered to, or purchased by, consumers as a cigarette described in subparagraph

The term "commerce" means (A) commerce between any State, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, American Samoa, Wake Island, Midway Islands, Kingman Reef, or Johnston Island and any place outside thereof; (B) commerce between points in any State, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, American Samoa, Wake Island, Midway Islands, Kingman Reef, or Johnston Island, but through any place outside thereof; or (C) commerce wholly within the District of Columbia, Guam, the Virgin Islands, American Samoa, Wake Island, Midway Islands, Kingman Reef, or Johnston Island.

(3) The term "United States", when used in a geographical sense, includes the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, American Samoa, Wake Island, Midway Islands, Kingman Reef, and Johnston Island. The term "State" includes any political division of any State.

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